

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

_____)	
FRED ROHRBACKER,)	
Plaintiff)	
)	Civil Action
V.)	
)	No. 05-11562-RGS
MODERN CONTINENTAL)	
COMPANIES, INC.,)	
HARBOR CRUISES, LLC,)	
BOSTON HARBOR CRUISES, A JOINT)	
VENTURE,)	
PROVINCETOWN PUBLIC PIER)	
CORPORATION, and)	
PROVINCETOWN-MACMILLAN)	
REALTY TRUST,)	
Defendants)	
_____)	

MOTION FOR DEFAULT OF DEFENDANT PROVINCETOWN-MACMILLAN
REALTY TRUST

NOW COMES the Plaintiff and states as follows:

1. Service was made on Defendant Provincetown-Macmillan Realty Trust on August 10, 2005. Return of service was made to the Court by letter dated August 16, 2005.
2. Defendant Provincetown-Macmillan Realty Trust has not answered the Complaint. The Plaintiff has not granted Defendant Provincetown-Macmillan Realty Trust any extension of time to answer the Complaint.
3. Defendant Provincetown-Macmillan Realty Trust is not an actual person, and so is not in the United States military, and not eligible for relief under the Soldiers and Sailors Relief Act.

WHEREFORE, the Plaintiff respectfully requests that a default be entered against Defendant Provincetown-Macmillan Realty Trust.

Respectfully submitted for the
the Plaintiff, Fred Rohrbacker,
by his attorney,

/s/ David J. Berg, Esq.
David J. Berg, Esq.
Latti & Anderson LLP
30-31 Union Wharf
Boston, MA 02109
617-523-1000

CERTIFICATE OF SERVICE

I hereby certify that on this date, I electronically filed the within document with the Clerk of the Court using the CM/ECF system which will send notification of such filing(s) to all counsel of record.

/s/ David J. Berg, Esq.
David J. Berg, Esq.
Latti & Anderson LLP
30-31 Union Wharf
Boston, MA 02109
617-523-1000

Dated: September 15, 2005